

STATEMENT OF UNDERSTANDING AGENCY ADOPTIONS PROGRAM OUT OF STATE

Relinquishing a child means permanently giving the child to the adoption agency so the agency can choose other parents to adopt the child. You permanently give up the child to the adoption agency by signing this Statement of Understanding and the Relinquishment document. You will no longer have any rights as a parent to your child once these documents have been filed with the California Department of Social Services, Adoptions Branch.

If you are thought to be a presumed father of the child, you should be aware under the law you have legal rights and responsibilities toward the child even if you deny paternity. You also have a right to look for legal counsel to obtain the right to physical custody of the child. If you want to be a parent to the child, there are services available to help you.

Giving up your child is a very important decision. You should know all the facts about it and weigh its advantages and disadvantages before you make your decision.

Instructions To Complete The Statement Of Understanding:

BEFORE YOU SIGN THIS STATEMENT OF UNDERSTANDING AND THE RELINQUISHMENT DOCUMENT, READ BOTH VERY CAREFULLY WITH YOUR SOCIAL WORKER. BE SURE TO ASK QUESTIONS ABOUT ANYTHING YOU DO NOT UNDERSTAND.

1. *Complete this Statement of Understanding only after you have carefully thought about giving up your child and you are sure you want your child adopted and raised by other parents the adoption agency has selected.*
2. *Read each of the statements in this document very carefully. If you do not understand a statement, ask your social worker to explain it to you until you do understand.*
3. *If you understand and agree with a statement, put your initials in the box next to the number of that statement.*
4. *If you do not agree, or if you do not understand a statement after your social worker's explanation, do not initial the box. Ask for more help and time in making your decision.*
5. *If you have initialed all the boxes, sign your name at the end. Two witnesses must be present when you sign your name and they will sign their names after yours.*
6. *You will receive a copy of this Statement of Understanding once it has been completed.*

STATEMENT OF UNDERSTANDING OUT OF STATE

Mother or a Presumed Father of the Child Who Is Not Detained, a Juvenile Court Dependent in Out-of-home Care, or the Ward of a Legal Guardian

Name of Child _____ Date of Birth _____

If more than one child, include names and birthdates for all.

- ☐ 1. I understand I have the right to look for a lawyer to help me in the relinquishment process and the adoption agency can refer me to public legal help in my community.
- ☐ 2. I understand that the agency is to tell me about its adoption plan for my child.
- ☐ 3. I understand I may talk about my plan to give up my child with other professional people, my family and friends.
- ☐ 4. I understand if I am not sure I want to give up my child, there are other places the agency can refer me to that could help me with family, health, money and other problems.
- ☐ 5. I understand if I sign this Statement of Understanding and the relinquishment document, I will no longer be my child's legal parent once these documents are filed with the California Department of Social Services, Adoptions Branch. This means:
- A. I will no longer be responsible for the care of my child; and
- B. I will no longer have any right to the custody, services or earnings of my child.
- ☐ 6. I understand that by relinquishing my child I am giving up my child to the adoption agency.
- A. If I sign a relinquishment that does not name the adopting parent(s), I am giving up the right to select the adoptive parent(s) and the final decision about who adopts my child will be made by the adoption agency.
- ☐ I am not naming the adoptive parent(s) for my child.
- B. If I sign a relinquishment that names the adopting parent(s), I am giving up my child to the adoption agency which intends to place my child with the person or persons named on the relinquishment document.
- ☐ I am naming the adoptive parent(s). They are _____
NAME(S)
- If my child is not placed in the home of the named person or persons or my child is removed from the home before the adoption is completed:
- (1) The agency will send me a notice by certified mail, return receipt requested, within 72 hours of the decision not to place my child for adoption or the decision to remove my child from the home. I must keep the agency informed of my address if I want to receive such a notice.
- (2) I will have thirty days from the date the notice was mailed to me to either:
- a. Rescind the relinquishment. The agency will rescind the relinquishment if I deliver, or have delivered by mail or other means, a written request to rescind the relinquishment to the agency before the end of thirty day period, or
- b. Take no action. If I take no action during the thirty day period, I will lose my right to rescind the relinquishment and the agency will select adoptive parents for my child, or
- c. Select another placement for my child. If, during the thirty day period, I select another person or persons with whom my child is to be placed, I will rescind the initial relinquishment and complete a new relinquishment document identifying the person or persons with whom I then wish the agency to place my child.
- ☐ 7. I understand that the adopting parents and the birth relatives, including the birth parents, may enter into an enforceable written agreement to permit continuing contact between the birth relatives, including the birth parents, and the child if relatives are adopting my child and if the court approves.
- ☐ 8. I understand if I decide not to give up my child to the adoption agency, I can place my child for adoption with parents I find myself and agree only to an adoption of my child by these parents; this is called an Independent Adoption.
- ☐ 9. I understand if I sign this Statement of Understanding and the relinquishment document, I can take them back during any holding period referred to in Number 18 below or before it has been filed with the California Department of Social Services, Adoptions Branch.
- A. Under normal circumstances the adoption agency shall give my child to me within three working days and in no case shall it take more than seven calendar days.

- B. The rights and responsibilities as my child's parent will continue unless taken away by other legal action.
 - C. If the adoption agency believes giving my child to me would hurt or otherwise harm my child, the agency will make an immediate referral to the county's child protective services agency. The adoption agency will let me know in writing if they do this.
- ☐ 10. I understand once the California Department of Social Services, Adoptions Branch has filed and acknowledged my signed relinquishment it is final, and
- A. I cannot stop the relinquishment and have my child returned to me unless the adoption agency agrees.
 - 1. The adoption agency must agree if the adopting parent is named on the relinquishment and my child is not placed in the named home or my child is removed from the home before the adoption is completed.
 - B. If the adoption agency does not agree, the adoption agency will inform me in writing of the reason(s) for not giving me my child.
 - C. If the adoption agency agrees to return my child, the rights and responsibilities as my child's parent will continue unless taken away by other legal action.
 - D. If the adoption agency agrees to return my child, it will normally take three working days and in no case can it take more than seven calendar days
- ☐ 11. I understand that if the child is a juvenile court dependent or the subject of a petition for juvenile court jurisdiction, the adoption agency must notify the juvenile court, the child's attorney, and my attorney, if any, of the relinquishment within five days.
- ☐ 12. I understand before my child is legally adopted, the adoption agency must answer my questions about his/her situation. If I ask for information at any future time, the agency must give me all known information about the status of my child's adoption including whether my child has been placed for adoption, the approximate date the adoption was completed and if the adoption was not completed or was vacated for any reason, whether adoptive placement of my child is again being considered.
- A. I understand I must keep the adoption agency informed of my address if I want to know when my child was placed in an adoptive home and when my child was legally adopted.
- ☐ 13. I understand after my child's adoption has been granted in court, all inheritance rights from any blood relatives will end unless they have made arrangements in their will or in a trust which specifically includes my child. My child will legally inherit from his/her adoptive parents.
- ☐ 14. I understand that after my child has been legally adopted, the adoption agency may not return my child to me.
- ☐ 15. I understand the adoption agency may release identifying information from the adoption case record only when:
- A. It has been requested by certain agencies as named in law because the information is needed to help my child,
 - B. My child, when he/she is an adult, and I have signed forms agreeing to the release of identifying information so contact may be arranged,
 - C. My child has reached 21 years of age and has indicated in writing I can have his/her adopted name and most current address as indicated in the adoption agency's record and I have asked for this information, or
 - D. My child is under 21 years of age and the adoption agency has found the release of my identity and most current address as indicated in the agency's file is justified according to law.
- ☐ 16. I understand the court can, after considering the request, release identifying information from the court adoption file.
- ☐ 17. I understand if I think I was deliberately not told the truth about giving up my child, I have five years after the date the adoption was completed to ask the court to set aside the adoption of my child.
- ☐ 18. I understand I have the following filing choices when I sign this Statement of Understanding and relinquishment document:
- A. I may choose to have the adoption agency file my relinquishment form immediately. If so, I may take it back any time before the close of the next working day after I sign the form, or
 - B. I may choose to have the adoption agency hold the relinquishment form for up to 30 days so I can think about my decision. I understand my child will not be placed for adoption during any holding period, or
 - C. I may agree with the adoption agency to hold the relinquishment form for more than 30 days if my child must be freed for adoption from any other parent(s). I understand my child will not be placed for adoption during any holding period.

Put a check mark in front of the one statement that says what filing choice you want:

- ☐ I want the relinquishment form filed immediately.
- ☐ I want the relinquishment form held for _____ days until _____.
- ☐ I agree to have the relinquishment form held until my child has been freed for adoption from any other parent (s).

- ☐ 19. I have had at least two face-to-face interviews with a social worker from the adoption agency on two different days. At the first interview, the adoption agency gave me sample copies of this Statement of Understanding and the Relinquishment Document. The agency may accept my relinquishment at the second or later interview.

The date of my first interview was: _____

The date of my most recent interview was: _____

- ☐ 20. I have carefully thought about the reasons for keeping or giving up my child. I have discussed the adoption plan of my child with the adoption agency, and I have decided giving up my child to the agency for adoption is in the best interest of my child. I have read and understand the Statement of Understanding and the relinquishment document. I do not need any more help or time to make my decision. I have decided to relinquish my child permanently to _____

Name of Agency

for adoption and I am signing this freely and willingly.

I, _____ mother/father of _____,

Name of Parent

Name of Child

fully understand and agree to the statements I have initialed above.

Date

Signature of Parent

The foregoing instrument was signed on _____ by the said _____

Date

_____ in the presence of us,
who have signed the same as witnesses thereto.

Witness

Witness

STATE OF _____

County of _____

} ss.

On this ____ day of _____, 19 _____, before me, _____

an authorized official of the _____

an organization licensed or otherwise approved to provide adoption services under the laws of _____,

personally appeared _____ known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.

Authorized Agency Official

Title